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REMARKS

Claims 1-5, 7-11 and 29-38 are pending. Claims 6 and 12-28 were previously canceled. Claims 9-11 have been allowed. Claims 1, 29, and 36 have been amended herein. No new material has been added.

As an initial matter, Applicants would like to thank the Examiner for allowing claims 9-11.

Claim 36 has been objected to because of an informality. Claims 1-5, 29-33, and 35-38 have been rejected under 35 U.S.C. § 102(e) as assertedly being anticipated by U.S. Patent No. 6,806,528 to Lee et al (hereinafter "Lee"). Claims 7-8 and 34 have been rejected under 35 U.S.C. 103(a) as assertedly being unpatentable over U.S. Patent No. 6,806,528 to Lee over Ha (Paper cited by Applicants). Applicants respectfully traverse these rejections.

Claim 1 has been amended to recite "A phase change memory cell fabricated by integrated circuit techniques on a semiconductor substrate, comprising:...*an electrode superjacent to the phase change material layer.*" As stated in the MPEP, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131, citing *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). Lee, as cited by the Office Action, does not disclose this limitation. In fact, Lee states that the "pair of conductive patterns 260a and 260b are disposed on opposite sides of the phase-changeable material pattern 300a on the same plane." (Lee, Col. 9, Lines 1-4) These conductive patterns are not "an electrode superjacent to the phase change material layer." Because not all of the limitations in Applicants' Claim 1 are disclosed in Lee, Applicants respectfully request that the rejection of Applicants' Claim 1 be withdrawn.

Claims 2-5, 7, and 8 depend from and further limit independent Claim 1 in a patentable sense. Accordingly, Applicant respectfully requests that the rejections of claims 2-5, 7, and 8 be withdrawn as well.

Claim 29 has been amended to recite "An improved phase change memory cell fabricated by integrated circuit techniques on a substrate, the memory cell being of the type in which there is an interface..., and an electrode electrically coupled with the phase change material layer, wherein the improvement comprises:...*the electrode being superjacent to the phase change material layer.*" As discussed above, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (MPEP § 2131) In Lee, the "pair of conductive patterns 260a and 260b are disposed on opposite sides of the phase-changeable material pattern 300a on the same plane" (Lee, Col. 9, Lines 1-4). Lee does not disclose any connections to the phase change material "superjacent to the phase change material layer." Because Lee does not contain this limitation, Lee cannot anticipate Applicants' Claim 29. Accordingly, Applicants respectfully request that the rejection to Applicants' Claim 29 be withdrawn.

Claims 30-35 depend from and further limit independent claim 29 in a patentable sense. Accordingly, Applicant respectfully requests that the rejections of claims 30-35 be withdrawn as well.

Claim 36 has been amended to correct small typographical errors to overcome the objection asserted by the Office Action. Furthermore, Claim 36 has been amended to recite "A memory cell, comprising:...*an electrode superjacent to the layer of phase change material.*" The MPEP states that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (MPEP


§ 2131). Lee recites "A pair of conductive patterns 260a and 260b...disposed on opposite sides of the phase-changeable material pattern 300a on the same plane" (Lee, Col. 9, Lines 1-4), not "an electrode superjacent to the layer of phase change material." Accordingly, Applicants respectfully request that the rejection of Applicants' Claim 36 be withdrawn.

Claims 37-38 depend from and further limit independent claim 36 in a patentable sense. Accordingly, Applicant respectfully requests that the rejections of claims 37-38 be withdrawn as well.

In view of the above, Applicants respectfully submit that the application is in condition for allowance and request that the Examiner pass the case to issuance. If the Examiner should have any questions, Applicants request that the Examiner contact Applicants' agent at the address below. No fee is believed due in connection with this filing. However, in the event that there are any fees due, please charge the same, or credit any overpayment, to Deposit Account No. 50-1065.

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Respectfully submitted,



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